GOVERNMENT OF INDIA
PANCHAYATI RAJ
LOK SABHA

UNSTARRED QUESTION NO:165
ANSWERED ON:18.02.2009
NYAYA PANCHAYAT BILL
Angadi Shri Suresh Chanabasappa

Will the Minister of PANCHAYATI RAJ be pleased to state:

(a) whether the Government has finalized the Nyaya Panchayat Bill;

(b) if so, the salient features of the Bill; and

(c) the time by which the Bill is proposed to be introduced in Parliament?

Answer

MINISTER OF THE STATE IN THE MINISTRY OF PANCHAYATI RAJ (SHRI MANISHANKAR AIYAR)

(a): No, Sir. The Draft Bill, prepared by the Drafting Committee on the Nyaya Panchayats Bill was forwarded to the State Governments/UTs and the Central Ministries concerned for their comments. Based on the comments received from different quarters, the Draft Bill was recast and circulated to the Central Ministries concerned and State Governments/UTs. Comments received are under consideration.

(b): The objective of the proposed Nyaya Panchayat Bill is to provide a sound institutionalised forum at the grassroots level for alternative dispute resolution through mediation and conciliation with community involvement. The Nyaya Panchayats would aim at resolving disputes before they reach the formal justice system, but without extinguishing the right to go to judicial forum if any party to a dispute is not satisfied with the outcome of alternative dispute resolution.

The Draft Nyaya Panchayats Bill provides for the establishment of Nyaya Panchayats at the level of each Village Panchayat or cluster of Village Panchayats. The Nyaya Panchayats are proposed to be constituted through the election of the Nyaya Panchas by people residing in the area to which the jurisdiction of the Nyaya Panchayats extends. Provisions are proposed for the reservation for women, Scheduled Castes and Scheduled Tribes to ensure their representation in the Nyaya Panchayats. The Draft Bill defines the civil, criminal and additional jurisdiction of Nyaya Panchayats. In the Draft Bill, conciliation is proposed as a primary means of dispute resolution. Further, Nyaya Sahayaks, who will assist the Nyaya Panchayat in performing their function of dispute resolution, have been proposed. Nyaya Panchayats are proposed as separate and independent dispute resolution bodies, distinct from the Gram Panchayats.

(c): No firm date in this regard can be given as the Draft of the Nyaya Panchayat Bill is under consideration.